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10-21-05

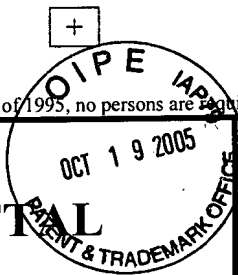
PTO/SB/21 (6-99)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)



Application Number	10/020,445
Filing Date	October 24, 2001
First Named Inventor	Audrey Goddard
Group/Art Unit	1647
Examiner Name	Jegatheesan Seharaseyon
Attorney Docket Number	39780-2630 PIC74

Total Number of Pages in This Submission 11 pages

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Version with Markings Showing Changes	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<b>Copy of the Preliminary Amendment as filed 8/22/2002; Redline - Copy of the Prior Corrected Filing Receipt received; and a Return Receipt Postcard</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<b>AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 (ATTORNEY DOCKET NO. 39780-2630PIC74) FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.</b>	

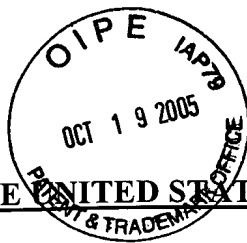
## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Barrie D. Greene, Reg. No. 46,740, HELLER EHRMAN LLP		
Signature	<i>Barrie D. Greene</i>		
Date	October 19, 2005	Customer Number:	35489

## CERTIFICATE OF MAILING (37CFR 1.10)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited on the date shown below, with the United States Postal Service as "Express Mail Post Office to Addressee" service (Express Mail No. EV 582 622 688 US addressed to Mail Stop: After Final, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450)			
Typed or print name	L. Acosta		
Signature	<i>L. Acosta</i>	Date	October 19, 2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Audrey Goddard, et al. Docket No.: 39780-2630 P1C74  
Serial No.: 10/020,445 Group Art Unit: 1647  
Filing Date: October 24, 2001 Examiner: Jegatheesan Seharaseyon  
For: **Nucleic Acids Encoding PRO615**

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

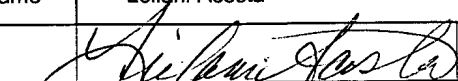
**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

Attached is a copy of the official filing receipt received from the USPTO in the above application for which issuance of a corrected filing receipt is respectfully requested. The domestic priority data and foreign applications for this application are incorrectly entered.

The correct priority data, as evidenced by the attached copy of the preliminary amendment filed on August 22, 2002, is:

--This application is a continuation of, and claims priority under 35 USC §120 to, US Application 09/918,585 filed 7/30/2001, which is a continuation of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/04341 filed 2/18/2000, which claims priority under 35 USC §119 to US Provisional Application 60/131,445 filed 4/28/1999, where PCT/US00/04341 is a continuation-in-part of, and claims priority under 35 USC §120 to, US Application 09/380,138 filed 8/25/1999, now abandoned, which is the National Stage filed under 35 USC §371 of PCT Application PCT/US99/05028 filed 3/8/1999, which claims priority under 35 USC §119 to US Provisional Application 60/083,392 filed 4/28/1998.--

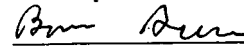
CERTIFICATE OF EXPRESS MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date indicated below.			
Express Mail Label: <b>EV 582 622 688 US</b>			
Typed or printed name	Leilani Acosta		
Signature		Date	October 19, 2005

Issuance of a Corrected Filing Receipt is respectfully requested.

The correction is not due to any error by applicant and no fee is due. However, in the event that a fee is due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 08-1641 (Atty. Docket No. 39780-2630P1C74).

Respectfully submitted,

Dated: October 19, 2005



Barrie D. Greene

Reg. No. 46,740

**HELLER EHRMAN LLP**

Customer No. 09157/35489

275 Middlefield Road

Menlo Park, CA 94025

Tel: (650) 324-7000

Fax: (650) 324-0638



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/020,445	10/24/2001	1647	1040	GNE.2630P1C74	237	20	3

CONFIRMATION NO. 9983

35489  
HELLER EHRMAN LLP  
275 MIDDLEFIELD ROAD  
MENLO PARK, CA 94025-3506

CORRECTED FILING RECEIPT



\*OC000000017129280\*

OCT 04 2005

Date Mailed: 09/29/2005

**H.E.W.M. LLP**

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Audrey Goddard, San Francisco, CA;  
Paul J. Godowski, Burlingame, CA;  
Austin L. Gurney, Belmont, CA;  
Margaret Ann Roy, San Francisco, CA;  
William I. Wood, Hillsborough, CA;

**Assignment For Published Patent Application**

Genentech, Inc.

**Power of Attorney:** The patent practitioners associated with Customer Number 35489.

**Domestic Priority data as claimed by applicant**

This application is a CON of 09/918,585 07/30/2001 ABN  
[which is a CIP of PCT/US00/04341 02/18/2000] -- WHICH IS A CON OF PCT/US00/04341 02/18/2000  
which claims benefit of [60/126,773 03/29/1999] -- 60/131,445 04/28/1999 --  
and is a CIP of 09/380,138 08/25/1999 ABN  
which is a 371 of PCT/US99/05028 03/08/1999  
which claims benefit of [60/081,955 04/15/1998] -- 60/083,392 04/29/1998 --

**Foreign Applications**

If Required, Foreign Filing License Granted: 02/01/2002

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/020,445**

**Projected Publication Date:** Not Applicable

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

NUCLEIC ACIDS ENCODING PRO615

**Preliminary Class**

435

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

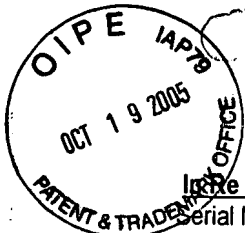
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Inventor Application of: Avi Ashkenazi et al

Serial No: 10/020,445

Filed on: October 24, 2001

Mailed on: August 22, 2002

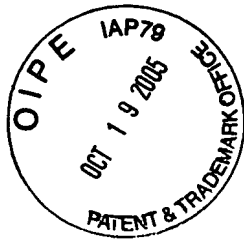
Docket No: P2630P1C74

By: Elizabeth M. Barnes

Reg. No.: 35,059

The following has been received by the U.S. Patent Office on the date stamped.

- ☒ Preliminary Amendment
- ☒ Post card



Patent Docket P2630P1C74

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  Avi Ashkenazi et al  Serial No.: 10/020445  Filed: 10/24/2001	Group Art Unit: Not yet assigned  Examiner: Not yet assigned  <b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on  August 22, 2002  <i>Patricia Terrill</i> Patricia Terrill
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**PRELIMINARY AMENDMENT**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Prior to substantive examination of the above captioned patent application, Applicants respectfully request that the following amendments be entered.

**In the specification:**

Please delete the paragraph at page 1, line 2, that was previously added by preliminary amendment.

Please insert the following new paragraph at page 1, line 2:

**--RELATED APPLICATIONS**

This application is a continuation of, and claims priority under 35 USC §120 to, US Application 09/918585 filed 7/30/2001, which is a continuation of, and claims priority under 35 USC §120 to, PCT Application PCT/US00/04341 filed 2/18/2000, which claims priority under 35 USC §119 to US



**Patent Docket:** P2630P1C74

**Serial No.:** 10/020445

**Filed:** 10/24/2001

Provisional Application 60/131445 filed 4/28/1999, where PCT/US00/04341 is a continuation-in-part of, and claims priority under 35 USC §120 to, US Application 09/380138 filed 8/25/1999, now abandoned, which is the National Stage filed under 35 USC §371 of PCT Application PCT/US99/05028 filed 3/8/1999, which claims priority under 35 USC §119 to US Provisional Application 60/083392 filed 4/29/1998.--

Patent Docket: P2630P1C74

Serial No.: 10/020445

Filed: 10/24/2001



REMARKS

The original paragraph at page 1, line 2 has been deleted. A new paragraph beginning at page 1, line 2 has been added in the specification. The new paragraph lists the documents to which priority is claimed for the instant application. Applicants respectfully request entry of this paragraph for prosecution in this application. The Examiner is invited to contact the undersigned at (650) 225-4563 if any issues may be resolved in that manner.

Respectfully submitted,

GENENTECH, INC.

Date: August 22, 2002

By: Elizabeth M. Barnes  
Elizabeth M. Barnes, Ph. D.  
Reg. No. 35,059  
Telephone: (650) 225-4563



**09157**

PATENT TRADEMARK OFFICE

**Patent Docket:** P2630P1C74

**Serial No.:** 10/020445

**Filed:** 10/24/2001

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the specification:**

The paragraph at page 1, line 2 that had been added by a previous preliminary amendment has been deleted. A new paragraph beginning at page 1, line 2 has been added to replace the deleted paragraph.